

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOHN DOE,	:
	:
	: Civil Action No:
	:
Plaintiff,	:
	:
	:
	:
	:
-against-	:
	:
	:
	:
MANHATTAN COLLEGE,	:
	:
	:
	:
Defendant.	:
-----X	

Upon consideration of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction, Complaint, and accompanying memoranda of law, declarations, affidavits, and exhibits/attachments thereto, and for good cause shown;

IT IS HEREBY ORDERED THAT Defendant Manhattan College appear before the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, Courtroom ____, on the ____day of March 2023, and **SHOW CAUSE** why:

1. Defendant Manhattan College should not be enjoined from expelling Plaintiff John Doe from the College and placing an adverse notation on his transcript; and
2. Defendant Manhattan College should not be immediately ordered to permit Plaintiff John Doe to participate fully in all coursework and academic activities necessary for the completion of his degree, and to award Plaintiff's degree upon completion of such requirements.

The Court hereby finds that Plaintiff John Doe has met the required showing necessitating the granting of temporary restraints pursuant to Rule 65 of the Federal Rules of Civil Procedure,

in that (i) the probability of irreparable harm to the Plaintiff is present should the relief not be granted, (ii) there is a likelihood of success that the Plaintiff will succeed on the merits or in the alternative, there are demonstrated sufficiently serious questions going to the merits to make them a fair ground of litigation, (iii) the balance of hardships tips decidedly in the John Doe's favor regardless of the likelihood of success on the merits, (iv) the relief issued is in the public interest, and (v) Plaintiff will suffer immediate irreparable harm if immediate restraints are not imposed. Therefore:

IT IS HEREBY FURTHER ORDERED THAT pending a determination of Plaintiff's Motion for Preliminary Injunction, Defendant is hereby restrained and enjoined from expelling Plaintiff from Manhattan College, restrained and enjoined from placing any notation on Plaintiff's transcript referring to the misconduct finding or sanction of expulsion, and directed to restore/provide Plaintiff access to participate fully in all coursework and academic activities for which he has paid and registered for the Spring 2023 semester, and as necessary for the completion of his degree and to which he would otherwise be entitled as a student in good standing, and, upon completion of such requirements, to be timely conferred with his degree.

IT IS HEREBY FURTHER ORDERED THAT service of all the papers supporting Plaintiff's Motion for Preliminary Injunction by e-mail upon James Ryan, Esq., counsel for Manhattan College, on or before 4:00 PM on March __, 2023, shall constitute good and sufficient service.

THIS ORDER REMAINS IN EFFECT UNTIL _____, 2023.

United States District Judge